

## ***Odometer Mileage Reporting***

### **23.000 Mandatory Reporting of Odometer Mileage**

Odometer disclosure and acknowledgment **are required** on applications for original registration and/or transfer of the registered owner of automobiles, motorcycles, or commercial vehicles with an unladen weight of 8,500 pounds or less (16,000 pounds gross vehicle weight or less) that is nine years old or newer.

To determine if the vehicle year model is exempt from the odometer mileage reporting requirement, deduct 10 years from the current calendar year. For example, in 2004, 1994 and older model year vehicles are exempt from the requirement.

### **23.005 Reporting Exceptions**

Although the department encourages and accepts odometer mileage readings for all motor vehicles, odometer disclosure and acknowledgment **are not** required for:

- Vehicles 10 model years old or older.
- Commercial vehicles with unladen weight of 8,501 pounds or more (16,001 pounds or more gross vehicle weight).
- Vehicles sold directly by the manufacturer to any agency of the United States until resold by the agency.
- New vehicles transferred prior to first retail sale (dealer to dealer prior to retail sale).
- Vehicles being reported as dismantled (junked).
- Unrecovered stolen vehicles being transferred to the insurance company.
- Low speed vehicles (LSV) as defined in VC §385.5. (Federal regulations require LSVs to have a speedometer, but not an odometer.) Refer to Section 2.115 for additional information.
- Vehicles originally manufactured primarily for off-highway use (without an odometer) which are being converted to on-highway registration. Vehicles manufactured primarily for off-highway use are generally manufactured without an odometer and are not required to install an odometer to be registered for on-highway use. An odometer disclosure is required if the vehicle was manufactured with an odometer.

### 23.010 Odometer Disclosure

The odometer disclosure is completed on one of the following forms as determined by the type of application:

**Registered Owner Transfers**—Odometer disclosure must be on the complying title, if submitted, **or** a Vehicle/Vessel Transfer and Reassignment Form (REG 262).

**Original Registration Applications**—Odometer disclosure is completed on the following forms, as determined by the type of application:

- Application for Registration of New Vehicle (REG 397).
- Application for Title or Registration (REG 343) with no change of ownership.
- Complying out-of-state title with change of ownership.
- Vehicle/Vessel Transfer and Reassignment Form (REG 262) with change of ownership on a noncomplying out-of-state title.
- Out-of-State Odometer Disclosure Statement.
- Out-of-State Secure Power of Attorney.

### 23.015 Document Features

All states are required to provide a place for odometer disclosure on complying titles or complying forms. The odometer disclosure should contain:

- The complete vehicle description (make, year model, body type, and vehicle identification number).
- The date of sale.
- Reference to federal and state law with the following or similar wording:  
*Federal and state law requires that you state the mileage upon transfer of ownership; failure to complete or providing a false statement may result in fines and/or imprisonment.*
- The numeric odometer mileage reading that appears on the vehicle's odometer and, if applicable, an indication that the reading is not the actual mileage or exceeds mechanical limits.
- The transferor's/seller's printed name, current address, and signature.
- The transferee's/buyer's printed name, current address, and signature.

California odometer disclosure statements contain a perjury statement which **is not** required on other state, auto auction, or Government Surplus Auction (GSA) forms.

**NOTE:** An out-of-state title is complying if it contains the document features outlined above **and** provides an odometer disclosure statement for the seller to report the mileage reading and an odometer reading acknowledgment by the buyer.

### 23.020 Disclosure Requirements

**Original Seller's and Buyer's Signatures**—Odometer disclosure requires **original** signatures by the seller(s) and buyer(s). Signatures by power of attorney **are not** acceptable. In the case of multiple sellers and/or buyers (*or, and, /, or and/or* between the owner names), the original signature of one seller and one buyer is sufficient.

**Handprinted Name(s) Required**—The printed name and signature of an individual buyer or seller must be completed by hand in ink. Endorsements by a business may show a hand-printed, typewritten, or computer-generated business name, but the countersignature of the authorized agent **must be** completed by hand and in ink. The name(s) **cannot** be typewritten or computer-generated **except** on an Application for Registration of New Vehicle (REG 397).

**Copy of Disclosure Required**—The **original** copy of the odometer disclosure **must** be submitted to the department with the titling documents; a photocopy is **not** acceptable. Federal and state laws require the person completing the odometer mileage reading disclosure and acknowledgment to give all parties (a copy or photocopy of the completed disclosure form).

**NOTE:** When disclosure is on a complying title, provide a photocopy of the front and back of that title. The names of the prior owners **must** show and **cannot** be covered.

### 23.025 Vehicle/Vessel Transfer and Reassignment Form (REG 262)

The Vehicle/Vessel Transfer and Reassignment Form (REG 262) is used for odometer mileage disclosure when:

- The title is a non-complying title.
- An Application for Duplicate Title (REG 227) is required.
- The title is unavailable at the time of transfer.
- There is an error or alteration in the odometer disclosure section of a complying title or the Application for Registration of New Vehicle (REG 397).
- There are multiple transfers. Dealer transactions are returned for in-between buyer odometer disclosures.

Sections 3 and 5 on the REG 262 **must** be completed for odometer disclosure. Federal regulations specify that the information be completed in ink, **not** pencil.

**Section 1: Vehicle/Vessel Identification**—The complete vehicle identification number (VIN) must be shown or the department will return an application.

**Section 3: Odometer Disclosure Statement**—Is completed at the time of sale by the seller disclosing the odometer mileage. Any errors/alterations void the odometer disclosure and a new REG 262 is required. However, it should be submitted as part of the application if the bill of sale (Section 2) or power of attorney (Section 4) was completed for the transaction.

**23.025 Vehicle/Vessel Transfer and Reassignment Form (REG 262), continued**

**Section 5: Buyer and Seller Information**—Is completed by the buyer and seller as follows:

- A business name may be completed by hand in ink, typewritten, or computer-generated. The authorized agent's countersignature must be completed by hand in ink.
- The printed name(s) and signature(s) of the buyer and/or seller must be completed by hand in ink.

The department will return forms not completed correctly.

**Requests for Forms**—To order a supply of the Vehicle/Vessel Transfer and Reassignment Form (REG 262), send a written request to:

Department of Motor Vehicles  
Forms and Accountable Items Section MS G202  
PO Box 932382  
Sacramento, CA 94232-3820

**NOTE:** A field office manager or designee may be able to fill a request for 25 or less forms if the office has a sufficient supply of the form.

**23.030 Out-of-State Secure Power of Attorney**

California **does not** produce or use the secure power of attorney (SPOA), but the department will accept an SPOA submitted with an application when:

- The title **is not** available at the time of sale.
- A vehicle owner was out of state at the time of the sale and used an SPOA provided by the other jurisdiction.

The SPOA form is designed primarily to disclose the odometer mileage reading, but can be used to appoint an attorney-in-fact to release/endorse the title when the form is required for odometer mileage disclosure. Any authorized employee of a business appointed as the attorney-in-fact on the SPOA may countersign and exercise the attorney-in-fact privilege.

If a multiple transfer application contains an SPOA for one of the transfers, subsequent odometer disclosures should be on the Vehicle/Vessel Transfer and Reassignment Form (REG 262). Submit the SPOA and REG 262 forms with the application.

**NOTE:** An out-of-state secure power of attorney (SPOA) may be submitted for odometer disclosure if a lienholder had possession of a nonresident title when a change of registered ownership took place. The SPOA may be from a different state than the nonresident title.

The *State of Origin* copy of an SPOA must be returned to the state that published the form and whose name may appear on the face of the form.

### 23.035 Certificates of Title

Several versions of a California title exist:

**Complying Pink with Blue Border Title (REV. 10/02)**—The department began issuing this version in December 2002. The (new) features are:

- The front of the title is pink with a blue border and a white opaque state seal and the back of the title is blue.
- If photocopied, “VOID” appears on this title.
- The vehicle history is prominently displayed within a red box in the upper right corner of the certificate.

**Complying Rainbow Title**—The department discontinued issuance of this title except on vessels as of January 28, 2003. The complying rainbow title features are:

- An odometer disclosure statement on the front side for the registered owner to report the mileage.
- Language in the certification above the new buyer’s signature acknowledging the mileage reported.
- A signature line in the dealer’s section on the reverse side for the new buyer to acknowledge the odometer reading.

Revisions of this title provide additional space for signatures and/or disclosure:

- The 7/94 revision has Line 1c for the new buyer to sign acknowledging the mileage reported by the seller.
- The 12/94 revision has a separate section for odometer mileage disclosure by the seller and acknowledgement by the buyer.

**Noncomplying Rainbow Title**—This title has **only** an odometer disclosure statement on the face of the title for the registered owner to report the mileage. There is no language or signature lines for acknowledging the mileage reported.

**Noncomplying Certificate of Ownership (aka “pink slip”)**—The noncomplying Certificate of Ownership has boxes on the side of the face of the certificate for the odometer mileage.

The face of a California Certificate of Title issued on or after April 18, 1994, for a vehicle on which odometer information was recorded contains the following:

- Mileage (MI) or Kilometers (KM)
- Date of Transaction (MM/DD/CCYY)
- Odometer Mileage Reading and a Code Explanation:
  - Actual Mileage (Actual mileage for the vehicle.)
  - Exceeds Mechanical Limits (The odometer has reached the highest numbers mechanically available and has started renumbering at 1– has “rolled over.”)
  - Not Actual Mileage (The odometer is broken or was replaced.)

**23.040 Transfers**

Use the following guidelines on registered owner transfers.

<i>If the titling document is...</i>	<i>then the odometer mileage reading...</i>
a complying California title	<p><b>for dealer sales</b>—The buyer must sign line 9a or 9b as the new registered owner <b>and</b> in the <i>Dealer Only</i> section as the buyer acknowledging the odometer mileage reported. If the dealer odometer disclosure section has been completed and additional disclosure is required, a separate Vehicle/Vessel Transfer and Reassignment Form (REG 262) must be completed and signed.</p> <p><b>for private party sales</b>—By the registered owner on the front of the title. The buyer endorses the reverse side of the title, line 9a or 9b, acknowledging that same mileage. Refer to Section 23.035 for information.</p>
a complying out-of-state title (for goldenrod conversion)	must be in the designated section(s) on the title. (The location may vary.)
a noncomplying title	must be completed on a Vehicle/Vessel Transfer and Reassignment Form (REG 262). The
a California title that is unavailable at the time of sale	<p>must be completed on a Vehicle/Vessel Transfer and Reassignment Form (REG 262).</p> <ul style="list-style-type: none"> <li>• The seller and the buyer <b>must</b> complete the <b>same</b> REG 262. On dealer transactions, the dealer is the seller and the buyer is the new registered owner.</li> <li>• The <b>original</b> copy of the REG 262 <b>must</b> be submitted with the transfer application.</li> </ul>
an Application for Duplicate Title (REG 227)	must be completed on a Vehicle/Vessel Transfer and Reassignment Form (REG 262).
submitted with a multiple transfer application	is required for <b>each</b> transfer. A <b>separate</b> Vehicle/Vessel Transfer and Reassignment Form (REG 262) signed by the buyer <b>and</b> the seller for each transfer is required.

**NOTE:** The **original copy** of the Vehicle/Vessel Transfer and Reassignment Form (REG 262) **must** be submitted to the department with the transfer application.

**23.045 Zero Miles Reported**

Due to DMV programming constraints, a new vehicle showing “0” (zero miles) as the odometer mileage will be issued a title which displays “1” as the odometer mileage.

**23.050 Auto Auctions**

An auto auction **must** retain the original copy of its sales invoice. A carbon copy of the invoice is acceptable for disclosure of odometer mileage.

An auto auction may maintain its copy of the odometer mileage disclosure statement electronically, on an invoice that has a complying disclosure statement, or on a photocopy of the Vehicle/Vessel Transfer and Reassignment Form (REG 262).

**23.055 Repossessed Vehicles**

The odometer mileage reading for a repossessed vehicle **must be** reported by the legal owner/lienholder of record (repossessor). If the title has a separate odometer disclosure section, the legal owner/lienholder may complete and sign that section to effect disclosure. If the title does not have a separate signature line for disclosure, the odometer mileage must be reported on a Vehicle/Vessel Transfer and Reassignment Form (REG 262).

**23.060 Leased Vehicles**

The lessor, **not** the lessee, **is** the registered owner of a leased vehicle and **must** acknowledge the odometer mileage reading when the vehicle is purchased. Odometer disclosure **is not** required for a change of lessee *when the lessor remains the same*.

The lessor may authorize an agent to disclose odometer mileage readings. This agent may be the lessee or an employee of a dealership or financial institution. The authorization may be submitted with the application or kept on file with the dealership or financial institution.

**NOTE:** When an employee of the dealership is the appointed agent, that same employee **may not** also sign for the dealer on that transaction.

**23.065 Odometer Replacement or Conversion**

When a vehicle's odometer has been replaced or converted from kilometers to miles, the odometer disclosure cannot reflect the "actual mileage" unless the party who replaced the odometer completes a Statement of Facts (REG 256) to be submitted with the application. The REG 256 **must** contain **all** of the following information:

- The date the odometer was replaced.
- The kilometer reading at the time of replacement (old reading).
- The mileage reading at the time of replacement (new reading).
- The conversion ratio used to change kilometers into miles. The National Highway Safety Administration (NHTSA) has established the kilometer conversion to miles ratio at 62%. For example, to convert 10,000 kilometers to miles, multiply the kilometers by 62% (.62) = 6,200 actual miles.

If a REG 256 **is not or cannot** be provided, the odometer mileage **must be** shown as "Not Actual Mileage."

**23.070 Original Applications**

Apply the following to original registration applications.

<i>For an...</i>	<i>the odometer mileage disclosure must be made...</i>
Application for Registration of New Vehicle (REG 397)	on the REG 397 in the odometer disclosure section.
Application for Title or Registration (REG 343) with a <b>change</b> of registered owner  <b>NOTE:</b> A Manufacturer's Statement of Origin issued, or endorsed, to the buyer is a transfer and requires odometer mileage disclosure.	<ul style="list-style-type: none"> <li>on the <b>complying</b> out-of-state title <b>or</b></li> <li>if an out-of-state <b>noncomplying</b> title is submitted, on a Vehicle/Vessel Transfer and Reassignment Form (REG 262) <b>or</b> an out-of-state disclosure statement.</li> </ul> <b>NOTE:</b> When disclosure is on an out-of-state secure power of attorney, it must be transferred to the title by the attorney-in-fact.
Application for Title or Registration (REG 343) with <b>no change</b> of registered owner	on the REG 343 <b>or</b> a Vehicle/Vessel Transfer and Reassignment Form (REG 262), <b>or</b> an out-of-state odometer disclosure statement.

**23.075 Errors Made in Reporting Odometer Mileage**

Apply the following to odometer mileage disclosure errors:

<i>If the disclosure error is...</i>	<i>then...</i>
on the Application for Registration of New Vehicle (REG 397)	<ul style="list-style-type: none"> <li>the odometer disclosure <b>must be</b> on a Vehicle/Vessel Transfer and Reassignment Form (REG 262) <b>and</b></li> <li>a Statement of Facts (REG 256) explaining the reason for the separate disclosure form <b>must</b> be submitted with the application.</li> </ul>
on the Application for Title or Registration (REG 343)	
on a complying title	
on a Vehicle/Vessel Transfer and Reassignment Form (REG 262)	a new Vehicle/Vessel Transfer and Reassignment Form (REG 262) is required.  <b>NOTE:</b> Line through the odometer section if the bill of sale or power of attorney was completed and needed.
discovered after a California Certificate of Title is issued/received	<ul style="list-style-type: none"> <li>the title must be returned to DMV with a vehicle verification showing the current mileage <b>and</b></li> <li>a Statement of Facts (REG 256) showing what information is in error <b>must</b> be submitted with the application.</li> </ul>

**NOTE:** The use of a highlighting pen **is** considered an error by the department. Refer to Section 23.085.



**23.080 Rollbacks and Unwinds**

A Vehicle/Vessel Transfer and Reassignment Form (REG 262) may be used for odometer mileage disclosure on a “rollback” or “unwind.”

If acknowledgment of the odometer mileage **cannot** be obtained from the first retail customer on an “unwind,” complete a Statement of Facts (REG 256) explaining the circumstances and submit it with the application.

**23.085 Using Highlighting Pens on Registration Forms**

**Do not** use highlighting pens on any registration documents submitted to the department. Applications with highlighted information are returned for correction.

If a highlighting pen is used in the odometer disclosure section, the disclosure **is not** acceptable and a Vehicle/Vessel Transfer and Reassignment Form (REG 262) signed by the seller and the buyer is required.

Refer to Section 1.115 for additional information regarding correction requirements.

